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**FACSIMILE TRANSMISSION COVER SHEET**

**LAW OFFICES OF MARK A. GARZIA  
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MEDIA, PENNSYLVANIA 19063  
UNITED STATES OF AMERICA  
Telephone No. 610.566.5050  
Facsimile No. 610.566.1030**

**Please deliver the attached facsimile transmission to:**

**Name : Art Unit 1743 and Jill A. Warden  
Of : U.S. Patent and Trademark Office  
Fax Nos. : 1-703-872-9306 AND 1-571-273-1267  
Date : February 16, 2005  
Sender : DAWN GOOD FOR MARK A. GARZIA, ESQUIRE  
Our File : ALLE-P3.2-US; U.S. Serial No.: 10/001,626**

DOCUMENTS	
Petition for Three-month Extension of Time with Certificate of Facsimile	2
Copies of: FEE TRANSMITTAL AND RCE TRANSMITTAL (both previously forwarded to U.S. PTO on 2/10/05 via Express Mail)	2

**\*NOT COUNTING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY.**

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**COMMENTS:**

\*\*\*\*\*

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No.2753 P. 2

PATENT

FEB 16 2005

Attorney Docket: ALLE-P3.2-US

**MARK A. GARZIA, P.C.**

A PROFESSIONAL CORPORATION

2058 CHICHESTER AVENUE  
BOOTHWYN, PA 19061-3735

PATENT, TRADEMARK,  
COPYRIGHT AND  
RELATED MATTERS

ATTORNEY AT LAW  
*Admitted in PA and NJ*  
*Registered Patent Attorney*

Telephone: 610.485.9400  
Facsimile: 610.485.7660  
E-mail: mark@patentcounsel.net

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Kenneth A. Alley  
TITLE : TEST STRIP FOR USE IN AN APPARATUS FOR  
SAMPLING AND TESTING A SPECIMEN  
APPLICATION NO. : 10/001,626  
FILING DATE : October 24, 2001  
EXAMINER : SIEFKE, Samuel P.  
ART UNIT : 1743  
ATTORNEY DOCKET NO. : ALLE-P3.2-US

\* \* \* \* \*  
**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this communication, along with any paper or fee indicated as being enclosed, is being facsimile transmitted to the United States Patent and Trademark Office, on the date indicated below, to ART UNIT 1743 at 703.872.9306(U.S. PTO) and Carbon Copy (CC) to Mr. Jill A. Warden at 571.273.1267(US PTO).

February 16, 2005  
Date

  
Dawn Lee Good

**PETITION FOR THREE-MONTH EXTENSION OF TIME**

Dear Sir:

Applicant filed a Request for Continued Examination for the above-identified patent application on February 10, 2005. Although Applicant's attorney enclosed a Fee Transmittal and a Credit Card Payment form indicating the authorization to pay the appropriate extension fee, Applicant's attorney inadvertently forgot to enclosed a formal Request for Petition of Extension of Time.

Page 1 of 2

**PATENT****Attorney Docket: ALLE-P3.2-US**

Applicant's attorney spoke with Ms. Jill A. Warden regarding this matter and Ms. Warden suggested that it may be helpful if Applicant's attorney forward, via facsimile, the Petition for Extension of Time immediately.

Accordingly, Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 [fees: 37 C.F.R. §1.17(a) - (d)] for the total number of month(s) checked below:

<u>Extension Months(s)</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee For Small Entity</u>
[ ] 1 Month	\$120.00	\$ 60.00
[ ] 2 Months	\$450.00	\$225.00
[XX] 3 Months	\$1,020.00	\$510.00*
[ ] 4 Months	\$1,590.00	\$795.00
[ ] 5 Months	\$2,160.00	\$1,080.00

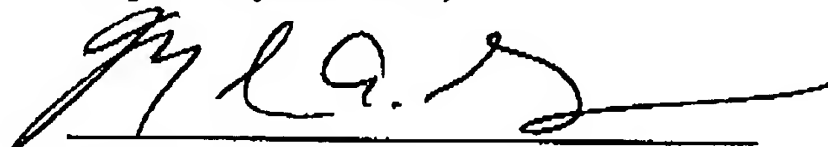
\*minus the previously paid fee of \$225 (for two-month extension of time).

Please note that Applicant previously paid for a Two-Month Extension of Time in the amount of \$225 on January 10, 2005. Hence, Applicant paid for the remaining balance due for the extension fee (\$510-225=\$285) in the aforementioned RCE communication on February 10, 2005. Please note, Applicant also paid on February 10, 2005 the RCE fee of 395, which came to the total \$680. The \$680 payment was indicated on the Credit Card Payment form and the Fee Transmittal for FY 2005.

For your records, attached is a copy of the RCE Transmittal and Fee Transmittal for FY 2005 which was previously sent to the U.S. Patent and Trademark Office on February 10, 2005 via Express Mail Certificate.

We appreciate your consideration in this matter.

Respectfully submitted,



Mark A. Garzia, Esquire  
Registration No. 35,517

February 16, 2005

Date

Law Offices of Mark A. Garzia  
2058 Chichester Avenue  
Boothwyn, PA 19061  
Telephone: (610) 485-9400  
Facsimile: (610) 485-7660

FEB 16 2005

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Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>Request for Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	10/001,826
	<b>Filing Date</b>	October 24, 2001
	<b>First Named Inventor</b>	ALLEY, Kenneth A.
	<b>Art Unit</b>	1743
	<b>Examiner Name</b>	Samuel P. Slafke
	<b>Attorney Docket Number</b>	ALLE-P3.2-US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1998, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- I. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- II. ☒ Other Reply to Final Office Action mailed January 10, 2005
- b. ☒ Enclosed
- I. ☐ Amendment/Reply
- II. ☐ Affidavit(s)/Declaration(s)
- III. ☐ Information Disclosure Statement (IDS)
- IV. ☒ Other POSTCARD & FEE TRANSMITTAL FY 2005
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- a. ☐
- I. ☒ RCE fee required under 37 CFR 1.17(e)
- II. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- III. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>	
Name (Print/Type)	Mark A. Garzia, Esquire
Signature	
Registration No. (Attorney/Agent)	18,517
Date	16 FEB 2005
<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Name (Print/Type)	Mark A. Garzia, Esquire
Signature	
Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/8B/17 (12-04v2)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)	680.00
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Complete If Known	
Application Number	10/001,626
Filing Date	October 24, 2001
First Named Inventor	Kenneth A. Alley
Examiner Name	Samuel P. Siefke
Art Unit	1743
Attorney Docket No.	ALLE-P3.2-US

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims** 8 - 20 or HP = 0 x 0 = 0 Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** 2 - 3 or HP = 0 x 0 = 0 Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(e).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
<u>100</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 3 MO. EXT. OF TIME (\$285 - already paid (\$225)) & RCE FEE (\$395) 680.00

**SUBMITTED BY**

Signature	Registration No. 35,617	Telephone No. 485,9400
Name (Print/Type) Mark A. Garcia	(Attorney/Agent)	Date 2/16/2005
Express Mail Receipt No. EV 887839242US		

This collection of information is required by 37 CFR 1.135. The information is required to obtain or retain a benefit by the public which is to be provided by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.